

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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**BARBARA CONNICK**

**Plaintiff**

**v.**

**CONTINENTAL CASUALTY  
COMPANY**

**Defendant**

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**CIVIL ACTION NO.**

**04-1 2208-WGY**

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**ASSENTED MOTION TO CONTINUE THE DATE FOR THE HEARING ON  
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

Now comes Barbara Connick, with the assent of Defendant, and respectfully requests that the hearing on Defendant's Motion for Summary Judgment be rescheduled. As grounds for the granting of this motion plaintiff states:

1, On December 8, 2005 the Court gave notice that the hearing on Defendant's Motion for Summary Judgment was set for January 25, 2006.

2. Plaintiff's counsel is an Arbitrator with the National Association of Securities Dealers (NASD).

3. Plaintiff's counsel is the Chair of a three person arbitration panel which is scheduled to hold a hearing in the matter of Kniberg v. Citigroup Global Markets, Inc. NASD Arbitration Number 04-00970 on January 24 - 27, 2006 inclusive in Boca Raton, Florida. This matter was scheduled for hearing on these dates on March 24, 2005.

4. Plaintiff's counsel has conferred with counsel for the Defendant who assented to the rescheduling of this hearing. Counsel agreed that the request to reschedule should be for the next soonest date upon which the Court is available.

5 Counsel for both parties are available for a hearing on this matter on January 30, and 31, 2006. Counsel are also available on February 7, 8, 9, and 10, 2006 if the Court can not hear this matter the prior week.

WHEREFORE it is respectfully requested that the Court grant this assented to motion to reschedule the hearing on Defendant's Motion for Summary Judgment.

**CERTIFICATE PURSUANT TO LOCAL RULE 7, 1(A) (2)**

Pursuant to LR 7.1(A) (2), the Plaintiff's undersigned counsel hereby certifies that prior to filing this motion, Plaintiff's counsel conferred with Catherine Nasser and Dana Gruen, attorneys for the Defendant and attempted in good faith, but to resolve the matter in issue. Based on that consultation defendant agreed to assent to the instant motion.

Respectfully submitted,

**BARBARA CONNICK**

By Her Attorney,

s/Howard I. Wilgoren  
HOWARD I. WILGOREN, 6  
Beacon St., Suite 700  
Boston, MA 02108  
(617) 523 - 5233  
BBO No. 527840

Dated: December 6, 2005

ASSENTED TO:

**CONTINENTAL CASUALTY  
COMPANY**

BY Its Attorney,

s/Catherine Nasser\_\_\_\_\_  
Catherine Nasser  
Dana Gruen  
Sonnenschein, Nath & Rosenthal LLP  
233 South Wacker Drive  
Chicago, IL 60606  
(312) 876-8955

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing document was served upon the attorney of record for each party by electronic filing.

s/Howard I. Wilgoren  
HOWARD I WILGOREN